

BEFORE NANCY KEENAN, SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF MONTANA

* * * * *

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|------------------------------------|---|--------------|
| SANDRA SNOW, |) | |
| |) | |
| Appellant, |) | OSPI 230-93 |
| |) | |
| vs. |) | |
| |) | <u>ORDER</u> |
| |) | |
| DAWSON COUNTY (MONTANA) HIGH |) | |
| SCHOOL DISTRICT and the ELEMENTARY |) | |
| SCHOOL DISTRICT NO. 1, by and |) | |
| through its Board of Trustees, |) | |
| |) | |
| Respondents. |) | |

* * * * *

Sandra Snow is appealing the November 2, 1993, Order of acting Dawson County Superintendent Patricia Zinda. The county superintendent held that the Dawson County High School and Elementary School District [hereinafter the District] did not have to notify Sandra Snow of nonrenewal by May 1, 1993, because, as a temporary, substitute teacher she was specifically excluded from the procedural protection of § 20-4-206, MCA.

Sandra Snow was a certified teacher hired on February 16, 1993, as a substitute. At an April 20, 1993, school board meeting the trustees offered her a contract to teach English to the end of the year. The statement "this contract is for the remainder of 1992-93 only" appeared in capital letters in the contract.

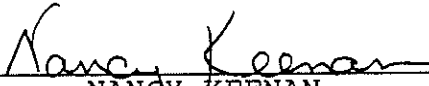
The District did not notify her prior to May 1st that she was not hired for the 1993-94 school year. She argued she was a nontenured teacher and, since the District did not notify her of nonrenewal prior to May 1, 1993, she was automatically renewed for 1993-94 pursuant to § 20-4-206, MCA.

Chapter 439, Laws of Montana, 1991, amended Section 20-4-206,
MCA. Section 4 of chapter 439 stated:

Applicability. [This act] does not apply to nontenure
teachers who are considered temporary or substitute
teachers.

The county superintendent correctly concluded that the
District was not required to give Sandra Snow notice of non-renewal
because the requirement of § 20-4-206, MCA, does not apply to
temporary or substitute teachers.

DATED this 27 day of April, 1995.



NANCY KEENAN


CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on this 27th day of April, 1995, a
true and exact copy of the foregoing Order was mailed, postage
prepaid, to the following:

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Pat Reichert, Paralegal
Office of Public Instruction

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